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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**IN RE: CATHODE RAY TUBE (CRT)
ANTITRUST LITIGATION**

Master File No. 4:07-cv-5944-JST

MDL No. 1917

NOTICE OF APPEAL

This Document Relates to:

All Indirect-Purchaser Actions

NOTICE OF APPEAL

Notice is hereby given that Anthony Gianasca, the Estate of Barbara Caldwell, George Maglaras, Carolyn Jorgensen Warren Cutlip, and others appeal to the United States Court of Appeals for the Ninth Circuit from (1) the Order Denying Renewed Motions to Intervene, which was entered on February 4, 2020 (Dkt. 5684); (2) the Order Denying [the Appellants' Rule 59] Motion to Alter or Amend the Court's [February 4, 2020] Order, which was entered on April 9, 2020 (Dkt. 5708); (3) the Order Granting Motion for Preliminary Approval, which was entered on March 11, 2020 (Dkt. 5695); (4) the Order Denying Motion to Intervene and Amend Complaint to Allege State Law Claims for the Other Repealer States, which was entered on October 17, 2019 (Dkt. 5628); (5) the Order Rejecting the ORS Errata and Refusing to Entertain Any Motion to Vacate Prior Settlement, which was entered on October 18, 2019 (Dkt. 5632); (6) the failure to perform the mandate on remand of the United States Court of Appeals for the Ninth Circuit, filed on March 7, 2019 (Dkt. 253, Case 16-16373), directing the district court to review, following briefing and oral argument, the adequacy and including possible conflicts of interests of Lead Counsel Mario Alioto and other class counsel as the evidence may establish; and (7) all orders that merge with any of the preceding orders appealed. The orders and the mandate are attached hereto respectively as Exhibit A, B, C, D, E and F.

This appeal is authorized because the appellate court has "jurisdiction over the denial of a motion to intervene as of right as a final appealable order under 28 U.S.C. § 1291." *Citizens for Balanced Use v. Montana Wilderness Ass'n*, 647 F.3d 893, 896 (9th Cir. 2011). Moreover, "[b]y appealing the final judgment, [appellants] implicitly [bring] all of the district court's subordinate orders within the jurisdiction of [the appellate] court." *Hall v. City of Los Angeles*, 697 F.3d 1059, 1070 (9th Cir. 2012).

This appeal should be assigned to the same panel that previously decided *In re Cathode Ray Tube (CRT) Antitrust Litig.*, Case No. 16-16368 consolidated with, *inter alia*, Appeal Numbers 16-373, 16-399 and 16-16400. In its order remanding the proceeding to the district court in that earlier appeal, the Court ordered that "[t]he current panel will retain responsibility for future appeals in this case." See *In re Cathode Ray Tube (CRT) Antitrust Litig.*, 753 Fed. Appx. 438, 442

(9th Cir. 2019) (Case No. 16-16368, Dkt. 238 at 12). Because this appeal arises from the same case as Appeal Number 16-16368 and the underlying consolidated cases, it should be assigned to the panel assigned to that proceeding.

The representation statement required under Federal Rule of Appellate Procedure 12(b) and Ninth Circuit Rule 3-2 is attached as Exhibit G.

The foregoing notice of appeal was timely filed in this case with the Court on May 7, 2020 (Dkt. 5719). However, in making that original filing, the incorrect ECF event (Notice) was entered. Immediately upon being informed of that incorrect event designation, the notice of appeal was re-filed under the proper event (Notice of Appeal) and with a corrected court division code at the direction of the Court.

Dated: May 7, 2020

Respectfully submitted,

/s/ Robert J. Bonsignore
Robert J. Bonsignore

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the notice of appeal [Dkt. 5719] was filed *via* CM/ECF on May 7, 2020 and as a result was served on all counsel of record *via* transmission of Notices of Electronic Filing generated by CM/ECF and that the foregoing was filed on June 1, 2020 and as a result has been served on all counsel of record *via* transmission of Notices of Electronic Filing generated by CM/ECF.

/s/ Robert J. Bonsignore
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